

CITY OF FRANKLIN
PLAN COMMISSION SPECIAL MEETING
MINUTES
September 04, 2003

CALL TO ORDER

- I. Mayor Klimetz called the regular meeting of the Plan Commission of September 04, 2003, to order at 7:02 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

Also present were Alderman Dorsan, Commissioners Knueppel, Ritter & Ziegenhagen, City Engineer John Bennett. Commissioner Skowronski was excused. Also present was Planning Manager Mary Kay Buratto.

MINUTES

July 10, 2003

- II.
A. Held over to September 19, 2003.

August 07, 2003

- B. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to table the minutes of August 07, 2003, to remove the Mayor from the minutes.

Upon voice vote, all voted 'aye', as amended.

August 21, 2003

- C. Held over to September 18, 2003.

**PUBLIC HEARING
SPECIAL USE
PERMIT FOR
MEXICAN
VILLAGE, INC.
(PUEBLO AZTECA)**

- III. The Mayor opened the public hearing on the petition by Mexican Village, Inc., for the Special Use Permit at its restaurant/retail shop Pueblo Azteca at 7:14 p.m..

Planning Manager Buratto read the Public Hearing notice into the minutes.

Mr. Sanchez, representing Mexican Village, Inc., spoke to the petition.

No one else coming forward, the public hearing was called to a close at 7: 18 p.m.

Commissioner Ritter moved and Commissioner Knueppel seconded a motion to table to the September 18th Plan Commission meeting and to consider requiring the applicant to connect to the sewer. Staff. is to draft a letter to the applicant confirming that no merchandise is to be displayed out-of-doors and no sales are to be made out-of-doors.

Upon voice vote, all voted 'aye'. Motion carried.

Comment [M1]: MKB changed the sentence structure to make more clear 9/22/03

**PUBLIC HEARING
REZONING
PATRICK & KIM
MORGESE**

- III. The Mayor opened the public hearing on the petition by Patrick & Kim Morgese to rezone their property at 11225 W Rawson Ave. from R-8 Multiple Family Residence District to R-3 Suburban/Estate Single Family Residence District at 7:21 p.m.

Planning Manager Buratto read the Public Hearing notice into the minutes.

No one else coming forward, the public hearing was called to a close at 7: 21 p.m.

**PUBLIC HEARING
SPECIAL USE
PERMIT CON-WAY
TRANSPORTATION
SERVICES**

- III. The Mayor opened the public hearing on the petition by Con-Way Transportation Services regarding additional office space at 10601 S. 27th St. at 7:31 p.m.

Planning Manager Buratto read the Public Hearing notice into the minutes.

Mr. Wheeler, representing petitioner, explained the need for the additional office space.

No one else coming forward, the public hearing was called to a close at 7:32 p.m.

Commissioner Ritter moved and Alderman Dorsan seconded a motion to refer to staff to draft a resolution granting the Special Use Permit.

Upon voice vote, all voted 'aye'. Motion carried.

**PUBLIC HEARING
SPECIAL
EXCEPTION
JIM & PAM
PATTERSON**

- III. The Mayor opened the public hearing on the petition by Jim & Pam Patterson for a special exception to allow relief from maximum lot coverage of 15%, pursuant to section 15.3.0204 of the Unified Development Code on their property at 9212 Robert MacDonald Ct. at 7:37 p.m.
- D.

Planning Manager Buratto read the Public Hearing notice into the minutes.

Four members of the public spoke against the request.

No one else coming forward, the public hearing was called to a close at 7: 45 p.m.

**BUSINESS
REZONING
PATRICK & KIM
MORGESE**

- IV. City Engineer John Bennett moved and Commissioner Knueppel seconded a motion to waive the rules and take action at this meeting.
- A.

Upon voice vote, all voted 'aye'. Motion carried.

Alderman Dorsan moved and Commissioner Knueppel seconded a motion to recommend approval of the rezoning request. During discussion on the motion, commissioners expressed to the applicant their concern that the residence cannot be used for multi-family dwelling once rezoned to R-3 Single Family. Commissioners also questioned if the applicant was running his business out of the dwelling or the proposed garage. The applicant has a home office but stores no vehicles or work-related tools or equipment on the site. Only his personal cars and a business truck will be parked in the proposed garage.

**BUSINESS
SPECIAL
EXCEPTION
JIM & PAM
PATTERSON**

- IV. Commissioner Ziegenhagen moved and Commissioner Ritter seconded a motion to table action to the Plan Commission regular meeting of October 9th, to allow the Patterson's to seek a statement from the subdivision architectural control board that they have reviewed the proposal.
- B.

Upon voice vote, all voted 'aye'. Motion carried.

**BUSINESS
BULK SPECIAL
EXCEPTION
DOUG & VICKY
MERTZ**

- IV. Alderman Dorsan moved and City Engineer John Bennett seconded a motion to recommend approval to the Board of Zoning Appeals of a bulk exception of 15' from the required 45 ft. setback.
- C.

Upon voice vote, Alderman Dorsan, Commissioner Knueppel and City Engineer John Bennett voted 'aye'; Commissioners Ritter and Ziegenhagen voted 'no.' The motion failed, 3 – 2.

Plan Commission rules requiring a minimum affirmative vote four to carry a recommendation forward. This petition goes to the Board of Zoning and Building Appeals without a recommendation from the Plan Commission.

**BUSINESS
RESOLUTION TO
VACATE STREET
RESERVATION
WEST LOOMIS
ROAD**

- IV. Commissioner Ritter moved and City Engineer John Bennett seconded a motion to recommend to the Common Council to proceed with the vacation of the street reservation as described.
- D.

Upon voice vote, all voted 'aye'. Motion carried.

**BUSINESS
TEMPORARY USE
PYRAMAX BANK**

- IV. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to approve the temporary use, contingent upon approval of the special use.
- E.

Upon voice vote, all voted 'aye'. Motion carried.

BUSINESS
SITE PLAN
LOOMIS ROAD
DENTAL

- IV. Commissioner Ritter moved and Commissioner Knueppel seconded a motion to approve the site plan contingent on vacation of the westerly street reservation.

Upon voice vote, all voted 'aye'. Motion carried.

BUSINESS
QUARRY
RECLAMATION
PLAN

- IV. Alderman Dorsan moved and Commissioner Ziegenhagen seconded a motion to recommend that the Common Council deny the reclamation plan as submitted because the applicant will not pay for a third party hydrology study to determine if the quarry pit will indeed fill with water to a level needed to create a useable lake.

Upon voice vote, all voted 'aye'. Motion carried.

BUSINESS
RECLAMATION
PLAN – DON
SIEVERT

- IV. Commissioner Ziegenhagen recused himself before the item was introduced.
- H. Alderman Dorsan moved and Commissioner Knueppel seconded a motion to recommend approval of the reclamation plan, with the requirement that all reclamation be completed by the expiration of the special use on October 20, 2003. The Planning Manager will make a site visit prior to the expiration of the special use to mark the progress of the plan.

Upon voice vote, all voted 'aye'. Motion carried.

BUSINESS
NEXT
REGULARLY
SCHEDULED
PLAN
COMMISSION
MEETING DATES

- IV. Commissioner Ziegenhagen resumed his seat.
- I. The next regularly scheduled Plan Commission meeting will be on September 18, 2003.
- A special Plan Commission meeting is scheduled for September 25, 2003, in conjunction with a special Common Council meeting.

BUSINESS
REPORT ON
COMMON
COUNCIL
ACTIONS
ADJOURNMENT

- IV. The Plan Commission requested that future items "Report on Common Council Actions" be included in the packet, not placed on the agenda and not read.
- J.

- V. Commissioner Knueppel moved and Commissioner Ritter seconded a motion adjournment of the regular Plan Commission meeting at 8:55 p.m.

Upon voice vote, all voted 'aye'. Motion carried.